

IN THE DISTRICT COURT OF THE THIRD CIRCUIT _____ DIVISION STATE OF HAWAI‘I	Civil No.
Plaintiff(s)	Defendant(s)

Garnishee(s) (Name and Address)	<input type="checkbox"/> Check here if Federal Agency
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GARNISHEE SUMMONS

**TO: ANY OFFICER IN HAWAI‘I AUTHORIZED TO MAKE SERVICE**

You are COMMANDED to leave a true and attested copy of this Summons and Order with each above named Garnishee(s).

**TO: GARNISHEE(S)**

You, as Garnishee(s), are SUMMONED and required to appear personally before the Judge presiding in the above-entitled proceeding at the Court designated by the checked box on the reverse side. If you are a Federal Agency, you have thirty (30) days to respond.  
(5 U.S.C. §5520a(d))

**OR** you may instead file a written disclosure in the above-entitled Division, and send a copy of it to Plaintiff(s) or Plaintiff(s)' attorney.

Your disclosure **must** be made under Oath. It **must** state whether you have, or at the time of service:

a. Had any of the goods or effects of the Defendant(s) in your hands and, if so, their nature, amount and value.  
**OR**

b. Were or are indebted to the Defendant(s) and, if so, the nature and the amount of the debt.  
**OR**

c. Defendant(s) was in receipt from you or any salary, wages, commissions, stipend, annuity, net income or a portion of net income under a trust and, if so, the amount or rate thereof.

You, as Garnishee(s), are ORDERED to hold and secure from the time of service of this summons, and until further ordered by the Court an amount of money which shall not exceed 120% of the amount of the judgment indicated above, including costs and interest, as provided by Hawai‘i Revised Statutes §652 & §653.

**\*SEE FEDERAL WAGE GARNISHMENT LAW FOR APPLICABLE RESTRICTIONS. (Attached form entitled "Garnishee Information")**

This summons shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a Judge of the above-entitled Court permits, in writing on this summons, personal delivery during those hours.

Date:	Clerk of the above-entitled Court
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## **Hawai'i Revised Statutes §652-9. GARNISHEE MAY BE HEARD ON NOTICE TO PLAINTIFF.**

Whenever any person summoned as a garnishee may be desirous of so doing, the person may apply to the district judge or any judge of the Court from which the summons may have issued, and the judge having caused reasonable notice to be given to the Plaintiff in action, shall proceed to take the deposition of the person thus summoned, and make such order as may be proper in the premises, at any time previous to the date appointed for hearing the cause, and the person summoned as garnishee, shall be taken to have obeyed the summons.

If it appears that there are conflicting claims to any moneys held for safekeeping, debt, goods, or effects in the garnishee's hands, any time after the summons is served the garnishee may be permitted upon order of the judge to pay into the Court any moneys held for safekeeping, debts, goods, or effects in the garnishee's hands, less any reasonable costs and attorney's fees allowed by the judge and the garnishee will thereupon be discharged.

With or without payment into Court, any garnishee may, where there are conflicting claims to any moneys held for safekeeping, debt, goods, or effects in the garnishee's hands of any amount, make application for an interpleader order and the judge shall thereupon make all orders as appear to be just and reasonable.

### **COURT DATE AND ADDRESSES:**

- ☐ **North and South Hilo Division, 75 Aupuni St., Hilo, Hawai'i**, at 8:30 a.m. on the second Tuesday following the date of service, and should said Tuesday be a legal holiday then upon the next Tuesday.
- ☐ **Puna Division, 16-200 Pili Mua St., Kea'au, Hawai'i**, at 8:30 a.m. on the second Friday following the date of service, and should said Friday be a legal holiday then upon the next Friday.
- ☐ **North and South Kona Division, 79-7595 Haukapila St., Kealahakua, Hawai'i**, at 8:30 a.m. on the second Tuesday following the date of service, and should said Tuesday be a legal holiday then upon the next Tuesday.
- ☐ **Ka'u Division, 95-5669 Mamalahoa Highway, Na'alehu, Hawai'i**, at 9:00 a.m. on the second Wednesday of the month depending on when you receive this Order. You must appear on the second Wednesday of the month if you are served with this Order prior to 72 hours before the second Wednesday of the month. Otherwise, you must appear on the following month's second Wednesday. If the second Wednesday is a legal holiday, you must appear on the second Wednesday of the following month.
- ☐ **South Kohala Division, 67-5175 Kamamalu St., Kamuela, Hawai'i**, at 8:30 a.m. on the second Wednesday following the date of service, excluding the 5th Wednesday, and should said Wednesday be a legal holiday, then upon the next Wednesday.
- ☐ **Hamakua Division, 45-3880 Mamane St., Honoka'a, Hawai'i**, at 8:30 a.m. on the second Thursday of the month depending on when you receive this Order. You must appear on the second Thursday of the month if you are served with this Order prior to 72 hours before the second Thursday of the month. Otherwise, you must appear on the following month's second Thursday. If the second Thursday is a legal holiday, you must appear on the second Thursday of the following month.
- ☐ **North Kohala Division, 54-3900 Government Main Road, Kapa'au, Hawai'i**, at 9:00 a.m. on the fourth Friday of the month depending on when you receive this Order. You must appear on the fourth Friday of the month if you are served with this Order prior to 72 hours before the fourth Friday of the month. Otherwise, you must appear on the following month's fourth Friday. If the fourth Friday is a legal holiday, you must appear on the fourth Friday of the following month.

In accordance with the **Americans with Disabilities Act** if you require an accommodation or assistance, please contact the District Court Administration Office at PHONE NO. 961-7470, FAX 961-7447, or TTY 961-7525 at least ten (10) working days in advance of your hearing or appointment date.